

04/30/2004	● <u>3</u>	MOTION to Dismiss or in the Alternative for Additional Time to file Brief by Defendant Steven Ronald Fisher. Responses due by 5/17/2004. (dsr) (Entered: 04/30/2004)
06/03/2004	● <u>4</u>	STIPULATION of Dismissal <i>re Appeal</i> by First National Bank of Omaha. (Litow, Charles) (Entered: 06/03/2004)
06/03/2004		***Civil Case Terminated (Per Stipulation of Dismissal filed 6/3/04). (mj) (Entered: 06/04/2004)
06/04/2004	●	Docket Annotation: Pursuant to Stipulation of Dismissal filed 6/3/04, this case has been terminated (no order to issue). (mj) (Entered: 06/04/2004)

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CLOSED

**U.S. District Court
Northern District of Iowa (Cedar Rapids)
CIVIL DOCKET FOR CASE #: 1:04-cv-00040-EJM
Internal Use Only**

First National Bank of Omaha v. Fisher

Assigned to: Senior Judge Edward J McManus

Referred to: Chief Magistrate John A Jarvey

Demand: \$

Lead Docket: None

Related Cases: None

Case in other court: None

Cause: 28:0158 Notice of Appeal re Bankruptcy Matter (BA

Date Filed: 04/02/04

Jury Demand: None

Nature of Suit: 422 Bankruptcy Appeal
(801)

Jurisdiction: Federal Question

Filing Date	#	Docket Text
04/02/2004	<u>1</u>	Notice of APPEAL FROM BANKRUPTCY COURT. Bankruptcy Court case number 03-09121. File received 04/02/04, filed by First National Bank of Omaha. Appellant Brief due by 4/19/2004. (Attachments: # <u>1</u> Certificate of Appeal# <u>2</u> Appellant's Statement of Issues on Appeal and Designation of the Contents of the Record on Appeal# <u>3</u> Complaint Seeking Exception to Discharge Pursuant to 11 USC 523(a)(2)(A)# <u>4</u> Summons and Notice# <u>5</u> Certificate of Service# <u>6</u> Motion To Dismiss Complaint Seeking Discharge Pursuant to 11 UC 523(a)(2)(A)# <u>7</u> Plaintiff's Opposition to Motion to Dismiss Complaint# <u>8</u> Scheduling Order# <u>9</u> Ruling Re: Defendant's Motion to Dismiss Complaint# <u>10</u> Resistance to Complaint Seeking Exception Pursuant to 11 USC 523(a)(2)(A)# <u>11</u> Pretrial Statement# <u>12</u> Notice Setting Status Conference to Set Trial Date# <u>13</u> Proceeding Memo and Order# <u>14</u> Exhibit List# <u>15</u> Order Re: Complaint Seeking Exception to Discharge# <u>16</u> Notice of Filing Notice of Appeal# <u>17</u> Exhibit 3# <u>18</u> Exhibit 4# <u>19</u> Exhibit 6# <u>20</u> Exhibit 7# <u>21</u> Exhibit 8# <u>22</u> Fax Transmission from Charles Litow to Kent Boese# <u>23</u> Bankruptcy Docket Sheet Case No. 03-09121)(ksy,) (Entered: 04/02/2004)
04/02/2004	<u>2</u>	NOTICE OF PETITION FOR REVIEW IN BANKRUPTCY: Pursuant to Local Rule 8000.1 and Bankruptcy Rules 8009 and 8010, copies which are attached, you are hereby Notified that on today's date, Clerk of Bankruptcy Court filed a Certificate of Transmittal of Appellant Election to Proceed before the US District Court with Clerk of Court in the above action. Appellant Brief due by 4/19/2004. Appellee Brief due by 5/3/2004. Appellant Reply Brief due by 5/12/2004. (Attachments: # <u>1</u> Local Rule 8001.1# <u>2</u> Local Rule 8009)(ksy,) (Entered: 04/02/2004)

FROM : MOLLMAN LAW OFFICE
05/20/2004 14:59 3193623277

PHONE NO. : 3193964389
LI-OW LHM

Jun. 01 2004 10:55AM P2

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

IN RE: STEVEN RONALD FISHER,

Debtor.

Case No. 03-00811-C

Chapter 7

FIRST NATIONAL BANK OF OMAHA,

Plaintiff/Appellant,

A.P. No. 03-09121-C

Docket No. C04-40-EJM

v.

STEVEN RONALD FISHER,

Defendant/Appellee.

STIPULATION DISMISSING APPEAL

First National Bank of Omaha, having filed an Adversary Proceeding in the U.S. Bankruptcy Court seeking an Order pursuant to 11 U.S.C. §523(a)(2)(A), determining that the Defendant's indebtedness to the Plaintiff is an exception to discharge, and the Defendant, having appeared by his attorney, and a decision having been rendered after Trial, and after the filing of the instant appeal the parties having now resolved the issues in the underlying Adversary Proceeding, and the parties having agreed that this Appeal should be dismissed,

NOW, THEREFORE, it is hereby stipulated between the parties that this Appeal should be dismissed, with prejudice, and without costs or attorney's fees to either party.

/s/ Charlie L. Litow 5/20/04
Charlie L. Litow, Esq.
ATTORNEY FOR THE APPELLANT
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Cedar Rapids, IA 52406
Telephone: 319-362-3000
Facsimile: 319-362-3277

/s/ Michael L. Mollman 5/20/04
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FROM : MOLLMAN LAW OFFICE
85/28/2004 14:56 3153618211

PHONE NO. : 3193964389
LITON LMT

Jun. 01 2004 10:55AM P3

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

IN RE: STEVEN RONALD FISHER,
Debtor.

Case No. 03-00811-C
Chapter 7

FIRST NATIONAL BANK OF OMAHA,
Plaintiff/Appellant,

A.P. No. 03-09121-C
Docket No. C04-40-EJM

v.

STEVEN RONALD FISHER,
Defendant/Appellee.

ORDER DISMISSING APPEAL

First National Bank of Omaha, having filed an Adversary Proceeding in the U.S. Bankruptcy Court seeking an Order pursuant to 11 U.S.C. §523(a)(2)(A), determining that the Defendant's indebtedness to the Plaintiff is an exception to discharge, and a decision having been rendered after Trial, and after the filing of the instant Appeal the parties having now resolved the issues in the underlying Adversary Proceeding, and the parties having agreed that this Appeal should be dismissed as evidenced by a Stipulation filed herewith, and upon all pleadings and proceedings had herein, and after due deliberation, it is hereby,

ORDERED, that this Appeal is hereby dismissed, with prejudice, and without costs or attorney's fees to either party.

Dated: _____, 2004

UNITED STATES DISTRICT JUDGE

ENTER:

Other Documents

1:04-cv-00040-EJM First National Bank of Omaha v. Fisher **CASE CLOSED on 06/03/2004**

U.S. District Court

Northern District of Iowa

Notice of Electronic Filing

The following transaction was received from mj, entered on 6/4/2004 at 9:42 AM CDT and filed on 6/4/2004

Case Name: First National Bank of Omaha v. Fisher

Case Number: 1:04-cv-40

Filer:

WARNING: CASE CLOSED on 06/03/2004

Document Number:

Docket Text:

Docket Annotation: Pursuant to Stipulation of Dismissal filed 6/3/04, this case has been terminated (no order to issue). (mj)

The following document(s) are associated with this transaction:

1:04-cv-40 Notice will be electronically mailed to:

Charles L Litow charlie@litowlaw.com,

Michael I. Mollman mollmanlaw@aol.com,

1:04-cv-40 Notice will not be electronically mailed to: